

# Exhibit D

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GLITTERWRAP, INC.

Plaintiff,

v.

NYGALA CORP.,  
SHENNY ENTERPRISES, INC., and John  
Does Nos. 1-50

Defendants.  
-----X

Civ. No. 07 CV 7992

**PLAINTIFF'S NOTICE  
OF DEPOSITIONS TO  
DEFENDANT NYGALA  
CORP.**

Judge Barbara S. Jones

PLEASE TAKE NOTICE, that Plaintiff Glitterwrap, Inc. ("Plaintiff," "Glitterwrap," or "Proponent"), by and through its attorneys, Sofer & Haroun, LLP, hereby requests, pursuant to rule 30(b)(6) of the Federal Rules of Civil Procedure, the deposition upon oral examination of Defendant Nygala Corp. ("Nygala"), at the offices of Sofer & Haroun, LLP, 317 Madison Avenue, Suite 910, New York, NY 10017 beginning at 9:30am on May 5, 2008. The deposition shall be attended by a court reporter and recorded by stenographic means.

At said deposition, Nygala will produce a witness having knowledge of and consent to testify on behalf of Nygala concerning the following topics:

1. The development, design, acquisition, marketing, and sales of the Accused Products (as defined in Plaintiff's First Set of Interrogatories, served concurrently herewith).
2. All activities of each and every officer of Nygala concerning each of the activities of Paragraph No. 1 above.
3. All receipts and invoices for the sale of the Accused Products.

4. All costs and expenses associated with the acquisition, promotion, marketing, sales, distribution, and shipment of the Accused Products.
5. The admissions, denials, and responses stated in Nygala's Answer to the Complaint in this matter.
6. The affirmative defenses asserted by Nygala in the Answer.
7. Defendants' customers that have purchased or received Accused Products from Defendants.
8. Defendants' customers that have sold or distributed Accused Products.
9. The supplier to Defendants of each of the Accused Products.
10. The gross revenues of Nygala and of Defendant Shenny Enterprises, Inc. ("Shenny") from September 8, 2002 through the present for the sale or distribution of the Accused Products.
11. The identity of every person who participated in any way in the design, development, or sale of the Accused Products.
12. Each person to appear as a witness for Defendants in this matter, and the facts each such witness will testify concerning.
13. Any opinions received by Nygala or their parents companies, partners, or subsidiaries concerning the infringement and validity of Plaintiff's rights asserted in this suit, and the identities of each person who received any such opinions.
14. Each of Defendants' catalogs and other promotional materials that display any Accused Products.
15. The types of records and summaries thereof of Nygala relating to sales, costs, acquisitions, and customers, with respect to the Accused Products.

16. The subject matter of the Complaint, the Answer, and the Affirmative Defenses in this matter.
17. Defendants' gross profits with respect to the sales of the Accused Products.
18. All efforts made by or on behalf of Nygala to collect information to respond to any discovery requests in this matter.

Dated: New York, NY  
March 12, 2008

**GLITTERWRAP, INC.**

By:



Robert M. Haroun, Esq.  
Joseph Sofer, Esq.  
Sofer & Haroun, LLP  
*Attorneys for Plaintiff*  
*Glitterwrap, Inc.*  
317 Madison Avenue, Suite 910  
New York, NY 10017  
Tel: 212-697-2800

To:

Tab Rosenfeld, Esq.  
Robert M. Klingon, Esq.  
Rosenfeld & Kaplan, LLP  
*Attorneys for Defendants Nygala Corp.*  
*and Shenny Enterprises, Inc.*  
535 Fifth Avenue, Suite 1006  
New York, New York 10017  
Tel: 212-683-1400

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GLITTERWRAP, INC.

Plaintiff,

v.

NYGALA CORP.,  
SHENNY ENTERPRISES, INC., and John  
Does Nos. 1-50

Defendants.  
-----X

Civ. No. 07 CV 7992

**PLAINTIFF'S NOTICE  
OF DEPOSITIONS TO  
DEFENDANT SHENNY  
ENTERPRISES, INC.**

Judge Barbara S. Jones

PLEASE TAKE NOTICE, that Plaintiff Glitterwrap, Inc. ("Plaintiff," "Glitterwrap," or "Proponent"), by and through its attorneys, Sofer & Haroun, LLP, hereby requests, pursuant to rule 30(b)(6) of the Federal Rules of Civil Procedure, the deposition upon oral examination of Defendant Shenny Enterprises, Inc. ("Shenny"), at the offices of Sofer & Haroun, LLP, 317 Madison Avenue, Suite 910, New York, NY 10017 beginning at 9:30am on May 7, 2008. The deposition shall be attended by a court reporter and recorded by stenographic means.

At said deposition, Shenny will produce a witness having knowledge of and consent to testify on behalf of Shenny concerning the following topics:

1. The development, design, acquisition, marketing, and sales of the Accused Products (as defined in Plaintiff's First Set of Interrogatories, served concurrently herewith).
2. All activities of each and every officer of Shenny concerning each of the activities of Paragraph No. 1 above.
3. All receipts and invoices for the sale of the Accused Products.

4. All costs and expenses associated with the acquisition, promotion, marketing, sales, distribution, and shipment of the Accused Products.
5. The admissions, denials, and responses stated in Shenny's Answer to the Complaint in this matter.
6. The affirmative defenses asserted by Shenny in the Answer.
7. Defendants' customers that have purchased or received Accused Products from Defendants.
8. Defendants' customers that have sold or distributed Accused Products.
9. The supplier to Defendants of each of the Accused Products.
10. The gross revenues of Shenny and of Defendant Nygala Corp. ("Nygala") from September 8, 2002 through the present for the sale or distribution of the Accused Products.
11. The identity of every person who participated in any way in the design, development, or sale of the Accused Products.
12. Each person to appear as a witness for Defendants in this matter, and the facts each such witness will testify concerning.
13. Any opinions received by Shenny or their parents companies, partners, or subsidiaries concerning the infringement and validity of Plaintiff's rights asserted in this suit, and the identities of each person who received any such opinions.
14. Each of Defendants' catalogs and other promotional materials that display any Accused Products.
15. The types of records and summaries thereof of Shenny relating to sales, costs, acquisitions, and customers, with respect to the Accused Products.



16. The subject matter of the Complaint, the Answer, and the Affirmative Defenses in this matter.
17. Defendants' gross profits with respect to the sales of the Accused Products.
18. All efforts made by or on behalf of Shenny to collect information to respond to any discovery requests in this matter.

Dated: New York, NY  
March 12, 2008

**GLITTERWRAP, INC.**

By: 

Robert M. Haroun, Esq.  
Joseph Sofer, Esq.  
Sofer & Haroun, LLP  
*Attorneys for Plaintiff*  
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To:

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